

UNITED STATES OF AMERICA
POSTAL REGULATORY COMMISSION
WASHINGTON, DC 20268-0001

Before Commissioners:

Ruth Y. Goldway, Chairman;
Robert G. Taub, Vice Chairman;
Mark Acton;
Tony Hammond; and
Nanci E. Langley

Removal of Confirm Service from the
Market-Dominant Product List

Docket No. MC2013-38

ORDER APPROVING REQUEST TO REMOVE CONFIRM SERVICE
FROM THE MARKET DOMINANT PRODUCT LIST

(Issued February 19, 2013)

On February 1, 2013, the Postal Service filed a request pursuant to 39 U.S.C. § 3642 and 39 C.F.R. § 3020.30 *et seq.*, seeking to remove Confirm service from the market dominant product list in the Mail Classification Schedule (MCS).¹ The Commission approves the classification change described in the Postal Service's Request.

Description of the classification change. Confirm service provides value to mailers by allowing them to receive raw processing scan data when identifying barcodes (Intelligent Mail or PLANET Code) are placed onto mailpieces. Request at 1. The scan data are used to estimate when mailpieces will be delivered to recipients,

¹ Request of the United States Postal Service to Remove Confirm Service from the Market-Dominant Product List, February 1, 2013 (Request).

allowing mailers to utilize this information to coordinate additional outreach with the delivery of mailpieces. *Id.* at 1-2.

Since the scan data offered through Confirm service provide added value to mailers, the Postal Service has incorporated the scan data function into Intelligent Mail barcode (IMb) Tracing, “which is available at no fee as part of the classes of mail containing letters and flats.” *Id.* at 2. As a result, mailers will continue to have access to the scan data when they place an IMb on their mailpieces. *Id.* Since there is a no fee alternative and all Confirm service subscriptions expired on January 21, 2013, the Postal Service states that removal of Confirm service from the market dominant product list fulfills the applicable criteria of 39 U.S.C. § 3642.

On February 5, 2013, the Commission issued an order establishing the present docket, appointing a Public Representative, and providing interested persons with an opportunity to comment.²

Comments. Comments were filed by the Public Representative.³ No other interested party submitted comments. The Public Representative states that he reviewed the Postal Service’s Request and accompanying attachments. *Id.* at 2. Based on that review, he concludes that the Postal Service’s Request to remove Confirm service from the market dominant product list fulfills the criteria of 39 U.S.C. § 3642 and 39 C.F.R. § 3020.30 *et seq.* *Id.* The Public Representative also notes that since “Confirm service was only available to bulk mailers to track their mailpieces for purposes of marketing and service performance, its removal is likely to affect the general public interest only indirectly.” *Id.*

Commission analysis. The Postal Service requests to remove Confirm service from the market dominant product list. The Postal Service filed the instant request pursuant to 39 U.S.C. § 3642 and 39 C.F.R. § 3020.30 *et seq.*, which apply whenever

² Order No. 1649, Notice and Order Concerning Request to Remove Confirm Service from the Market Dominant Product List, February 5, 2013.

³ Public Representative Comments on Postal Service Request to Remove Confirm Service From the Market Dominant Product List, February 15, 2013 (PR Comments).

the Postal Service proposes to add, transfer, or remove a product from the MCS product lists. In accordance with 39 C.F.R. § 3020.34, the Commission has reviewed the Request and the Public Representative's comments. The Request proposes removal of a discontinued service that has been replaced by a no fee alternative. No concerns were raised by interested parties.

The proposed classification change is not inconsistent with the requirements set forth in that statute or the Commission's regulations. Accordingly, the Commission approves the change specified in the Postal Service's Request and shall make conforming modifications to the draft MCS. Confirm service shall be removed from the market dominant product list as shown below the signature line of this Order.

It is ordered:

1. The proposed change is in accordance with 39 C.F.R. § 3020.30 *et seq.* and 39 U.S.C. § 3642.
2. Conforming modifications will be made to the draft Mail Classification Schedule.
3. Confirm service is deleted from the market dominant product list. The revision to the market dominant product list appears below the signature of this Order and is effective immediately.
4. The Secretary shall arrange for publication in the *Federal Register* of an updated product list reflecting the change made in this Order.

By the Commission.

Ruth Ann Abrams
Acting Secretary

CHANGE IN MAIL CLASSIFICATION SCHEDULE
CHANGE IN PRODUCT LIST

The following material represents changes to the product list codified in Appendix A to 39 C.F.R. part 3020, subpart A—Mail Classification Schedule. These changes reflect the Commission's order in Docket No. MC2013-38. The Commission uses two main conventions when making changes to the product list. New text is underlined. Deleted text is struck through.

Part A—Market Dominant Products

1000 Market Dominant Product List

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Special Services

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Confirm Service

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